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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/965,100

09/26/2001

Mason K. Yu, SR.

3960

7590

01/04/2005

Global Law Group
Suite 311
1601 Bayshore Hwy
Burlingame, CA 94010

EXAMINER

CHILCOT, RICHARD E

ART UNIT

PAPER NUMBER

3627

DATE MAILED: 01/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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JAN 7 2005
GROUP 3600

Office Action Summary

Application No.

09/965,100

Applicant(s)

YU, ET AL.

Examiner

Richard E. Chilcot, Jr.

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

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Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/24/2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are replete with improper Markush groupings; for example, in claim 1, item b and in claim 2, lines 4-7.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stride et al. in view of Brown.

Stride et al. teach a computer-based system for automatically categorizing financial transactions. The description of a financial transaction is parsed, at step 200. Stride et al. also teach the description of the financial transaction is parsed to identify one or more useful strings of characters. A data file of business names is then searched for a match with the parsed string or strings from the transaction description. The data file is preferably optimized to minimize data redundancy, which minimizes both lookup times and the size of the data file. In this regard, a serialized number may be used to represent business-name-to-financial-category mappings. Further optimization may be achieved by accessing the data file via a memory-mapped file, by compressing strings of nodes having children but no siblings into dangling nodes, and by including a table of shared suffixes. Further, if a match is found in the business name data file, then the transaction is categorized according to the corresponding business-name-to-financial-category mapping. Otherwise, a search of a keyword database may be performed. If a financial description keyword match is found, then a category may be

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assigned to the transaction based upon a keyword-to-category mapping corresponding to the matching keyword. Various strategies may be used for resolving situations in which more than one keyword match is found. For instance, keywords may be assigned relative priorities in advance, or the relative placement of keywords in the transaction description may determine which keyword match is used for assigning a category to the transaction.

While Stride et al. essentially teach all the features of the claimed invention, Stride et al. fail to teach using the system for a plurality of consumers; however, Brown is submitted for such a teaching. In particular, Brown teaches a system which collects purchasing data for a plurality of businesses and customers. Accordingly, to use the system of Stride et al. for tracking a plurality of customers, as suggested by Brown, would have been obvious for one having ordinary skill in the art at the time of the invention. The motivation for such a change would have been to track market trends for a business in order to be more competitive.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

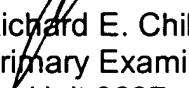
Schofield et al., note the tracking system as seen in Fig. 3.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard E. Chilcot, Jr. whose telephone number is 703-305-4716. The examiner can normally be reached on 5/4/9 1st Friday off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (703) 308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Richard E. Chilcot, Jr.
Primary Examiner
Art Unit 3627

Notice of References Cited	Application/Control No. 09/965,100	Applicant(s)/Patent Under Reexamination YU, ET AL.	
	Examiner Richard E. Chilcot, Jr.	Art Unit 3627	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,792,422	09-2004	Stride et al.	707/6
	B	US-2002/0128938	09-2002	Ronald Schofield et al.	705/35
	C	US-2004/0015715	01-2004	Brown, Michael	713/200
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Please type a plus sign (+) inside this box → ☐

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Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 3

Complete if Known

Application Number 09/965,100

Filing Date 09/26/2001

First Named Inventor MASON K. YU

Group Art Unit

Examiner Name

Attorney Docket Number

JAN 09 2002

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OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
0	1a	DENNIS, ROBERT, "Issues Affecting the Bureau of Economic Analysis," in prepared testimony of the Congressional Budget Office Assistant Director, Macroeconomic Analysis Division, before the House Committee on Government Reform, Subcommittee of the Census, April 5, 2001, transmitted by Fed. News Service	
P		JOHNSON, DAVID S.; ROGERS, JOHN M.; and TAN, LUCILLE, "A Century of Family Budgets in the United States," <u>Monthly Labor Review</u> , Vol. 124, No. 5, May 2001, pp. 28-45, U.S. Department of Labor, Washington, D.C.	
Q		KOKOSKI, MARY F., "Alternative CPI Aggregations: Two Approaches," <u>Monthly Labor Review</u> , Vol. 123, No. 11, Nov. 2000, pp. 31-39, U.S. Department of Labor, Washington, D.C.	
R		MORAN, LARRY M., and McCULLY, CLINTON P., "Trends in Consumer Spending, 1959-2000," <u>Survey of Current Business</u> , Vol. 81, March 2001, pp. 15-21, U.S. Dept of Commerce, Washington, D.C.	
S		RICHARDSON, DAVID H., "Scanner Indexes for the CPI," December 25, 2000, Working Paper posted on the National Bureau of Economic Research website, www.nber.org , Cambridge, MA	
T		ROGERS, R. MARK, <u>Handbook of Key Economic Indicators</u> , 1994, pp. 41-59, Irwin Professional Publications, Burr Ridge, IL.	
TU		Ministry of Public Management, Home Affairs, Posts and Telecommunications, Government of Japan, Statistics Bureau Center, "Family Income and Expenditure Survey for One-Person Households, February 8, 2001, posted at http://www.stat.go.jp/english , Tokyo, Japan.	

Examiner
Signature

Date
Considered

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet

2

of

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Complete if Known

Application Number	09/965,100
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Filing Date	09/26/2001
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First Named Inventor	Mason K. Yu, SR.
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Group Art Unit

Examiner Name

Attorney Docket Number

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

1

Board of Governors of the Federal Reserve System, "Financial Services Used by Small Businesses: Evidence from the 1998 Survey of Small Business Finances," Federal Reserve Bulletin, Vol. 87, No. 4, April 2001, pp. 183-205, The Federal Reserve Board, Washington, D.C.

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Signature**

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First Named Inventor	Mason K. Y
Group Art Unit	
Examiner Name	
Attorney Docket Number	

(use as many sheets as necessary)

Sheet	1	of	3
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U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
<i>[Handwritten initials]</i>		5,433,483		Yu	07/26/1995	7:34-52; 8:42-49
		5,559,313		Claus et al.	09/24/1996	1:37-48
		5,630,073		Nolan	05/13/1997	10:22-39
		5,740,271		Kunkler et al.	04/14/1998	34:22-33
		5,748,908		Yu	05/05/1998	15:13-51
		5,832,470		Morita et al.	11/03/1998	3:11-37
		5,917,931		Kunkler	06/29/1999	5:8-51
		5,920,848		Schutzer et al.	07/06/1999	4:1-67; 5:1-17
		5,930,764		Melchione et al.	07/27/1999	10:66-67; 12:7-38
		6,009,415		Schurling et al.	12/28/1999	18-22
		6,014,454		Kunkler	01/11/2000	5:8-51
		6,039,244		Finserwald	03/21/2000	1:33 to 3:62
		6,119,933		Wong et al.	09/19/2000	1:56 to 2:2
		6,185,576		McIntosh	02/06/2001	2:6 to 3:39

FOREIGN PATENT DOCUMENTS

[illegible]

**Examiner
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